

1 THE HONORABLE BENJAMIN H. SETTLE  
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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 ISELA M. MALDONADO, an individual,

11 Plaintiff,

12 v.  
13 COLUMBIA VALLEY EMERGENCY  
14 PHYSICIANS, LLC; EMCARE, INC.,  
15 EMCARE HOLDINGS INC., ENVISION  
16 HEALTHCARE HOLDINGS, INC., AND  
17 ENVISION HEALTHCARE  
18 CORPORATION,

19 Defendants.

20 Case No. 3:20-CV-05428 BHS TLF

21 **STIPULATION AND [PROPOSED]**  
22 **ORDER TO CONTINUE**  
23 **DEADLINES AND STAY**  
24 **DISCOVERY**

25 **NOTE ON MOTION CALENDAR:**  
26 **JULY 28, 2020**

27 The parties in the above-captioned action, through their undersigned counsel, hereby  
28 **STIPULATE AND AGREE** as follows:

29 1. On April 1, 2020, Plaintiff Isela Maldonado filed a complaint in Thurston  
30 County Superior Court against Defendants Columbia Valley Emergency Physicians, LLC;  
31 EmCare Inc.; Emcare Holdings Inc.; Envision Healthcare Holdings, Inc.; and Envision  
32 Healthcare Corporation, bringing putative class claims for negligence, breach of implied  
33 contract, procedural unconscionability, and substantive unconscionability. The case was  
34 removed to this Court on May 6, 2020.

35 **STIPULATION AND [PROPOSED] ORDER TO**  
36 **CONTINUE DEADLINES AND STAY**  
37 **DISCOVERY**  
38 (Case No. 3:20-CV-05428 BHS TLF) - 1

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2. On May 20, 2020, Defendants moved to dismiss the complaint (Dkt. No. 26). That motion was noted for June 12, 2020, and the Court heard oral argument on June 17, 2020. That motion is currently pending.

3. On June 11, 2020, the Court entered a stipulated order staying discovery until July 13, 2020; and continuing the Rule 26(f) conference to July 17, 2020; the initial disclosure deadline to July 31, 2020; and the joint status report deadline to August 10, 2020.

4. The parties have conferred and agreed to seek an additional continuance of the deadlines referenced in paragraph 3 to conserve the resources of the parties and the Court while Defendants' motion to dismiss is pending. The parties stipulate and request that the Court stay discovery until August 27, 2020; and continue the Rule 26(f) conference deadline to August 31, 2020; the initial disclosure deadline to September 15, 2020; and the joint status report deadline to September 24, 2020.

5. Should Defendants' motion to dismiss remain pending on August 31, 2020, the parties will meet and confer to determine whether to seek a further stay.

6. This stipulation shall not operate as an admission of any factual allegation or legal conclusion, nor shall it operate as a waiver nor affect any right, defense, claim or objection.

*SO STIPULATED.*

Dated this 28th day of July, 2020

CALFO EAKES LLP

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STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE DEADLINES AND STAY  
DISCOVERY  
(Case No. 3:20-CV-05428 BHS TLF) - 2

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26 *Attorneys for Plaintiff*

## [PROPOSED] ORDER

Based upon the foregoing stipulation of the parties, it is hereby ordered:

1. All discovery is hereby stayed until August 27, 2020.
2. The Rule 26(f) conference deadline is continued to August 31, 2020; the initial  
preliminary joint status report deadline is continued to September 15, 2020; and the joint status report deadline is  
continued to September 24, 2020.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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THE HONORABLE THERESA L. FRICKE  
UNITED STATES MAGISTRATE JUDGE